

UNITED STATES DISTRICT COURT  
FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA

Janice A. Subert, Individually and as Representative  
on behalf of the Estate of Richard E. Subert,

Plaintiff,

vs.

A.W. Chesterton Company, et al.,

Defendants.

MDL 875

Case No: 11-CV-63484

**FILED**

MAR 19 2012

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

**ORDER**


AND NOW, this 19<sup>th</sup> day of March, 2012, it is hereby **ORDERED**, as follows:

1. Defendant Metso Paper USA, Inc.'s motion for reconsideration, filed March 15, 2012, is **GRANTED**;

2. Defendant Metso Paper USA, Inc.'s motion for leave to file a reply brief in support of its motion to dismiss, Docket No. 229, was timely filed and unopposed, and therefore is **GRANTED**;

3. Upon consideration of Metso Paper USA, Inc.'s motion to dismiss, Docket No. 184, plaintiff's opposition thereto, Docket Nos. 227 and 228, and defendant's reply offered with its motion for leave, Docket No. 228, it is **ORDERED**, for the reasons set forth in Paragraph 1 of the Court's Order of March 12, 2012, that the motion to dismiss is **GRANTED**, the claims in this case are **DISMISSED** and the case shall be marked **CLOSED**.<sup>1</sup>

IT IS SO ORDERED.

  
United States District Judge

<sup>1</sup> Plaintiffs provided only pathology and radiology reports indicating that the decedent had lung cancer. Plaintiffs' Administrative Order No. 12 Report provided no exposure history, and no mention of asbestos. See doc. no. 227, Pls.' Ex. 7; doc. no. 228, Pls.' Ex. B-28.